

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF MINNESOTA

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name OWATONNA HOSPITALITY LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 06-1814638

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

2365 – 43RD STREET NORTHWEST
Owatonna, MN 55060

Number, Street, City, State & ZIP Code

Steele

County

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **OWATONNA HOSPITALITY LLC**
Name

Case number (if known)

7. Describe debtor's business A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5313**8. Under which chapter of the Bankruptcy Code is the debtor filing?** *Check one:*

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____

District _____ When _____ Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____

District _____ When _____ Case number, if known _____

Debtor **OWATONNA HOSPITALITY LLC**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **OWATONNA HOSPITALITY LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **July 14, 2020**
MM / DD / YYYY

X /s/ MICHAEL BHAKTA
Signature of authorized representative of debtor

Title **VICE PRESIDENT / MANAGER**

MICHAEL BHAKTA
Printed name

18. Signature of attorney

X /s/ JOHN D. LAMEY III
Signature of attorney for debtor

Date **July 14, 2020**
MM / DD / YYYY

JOHN D. LAMEY III 0312009
Printed name

LAMEY LAW FIRM, P.A.
Firm name

**980 INWOOD AVE N
OAKDALE, MN 55128-7094**
Number, Street, City, State & ZIP Code

Contact phone **651.209.3550**

Email address **JLAMEY@LAMEYLAW.COM**

0312009 MN
Bar number and State

Fill in this information to identify the case:

Debtor name **OWATONNA HOSPITALITY LLC**
 United States Bankruptcy Court for the: **DISTRICT OF MINNESOTA**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
ALL STREAM 18110 SE 34TH ST BLDG ONE STE 100 Vancouver, WA 98683		UTILITIES				\$2,793.38
CISCO - DE LAGE LANDEN FINANCIAL SERVICE PO BOX 41602 Philadelphia, PA 19101		UNSECURED				\$38,240.17
CITY OF OWATONNA 540 WEST HILLS CIRCLE Owatonna, MN 55060		CITY LODGING TAX				\$11,342.70
DAWNEE LEASING 3801 AUTOMATION WAY STE 207 Fort Collins, CO 80525		EQUIPMENT LEASE				\$195,736.05
ECOLAB 1 ECOLAB PLACE Saint Paul, MN 55102		UNSECURED				\$13,154.55
FAST EDDYS SIGNS 359 1ST AVE S South Saint Paul, MN 55075		UNSECURED				\$19,438.00
FOUNDATION GROUP LLC 11501 SUNSET HILLS RD STE 100 Reston, VA 20190		AMORTIZATION LOAN				\$49,774.78
GUEST SUPPLY PO BOX 6771 Somerset, NJ 08875		UNSECURED				\$5,565.57

Debtor **OWATONNA HOSPITALITY LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
INTERCONTINENTAL HOTEL GROUP THREE RAVINIA DRIVE STE 100 Atlanta, GA 30346		UNSECURED				\$52,900.30
JOHNSON CONTROL FIRE PROTECTION 2605 FERNBROOK LANE NORTH STE T Minneapolis, MN 55447		UNSECURED				\$20,228.60
MN DEPT OF REVENUE 600 N ROBERT ST. Saint Paul, MN 55101		SALES TAX				\$41,726.06
OWATONNA PUBLIC UTILITIES 208 S WALNUT PO BOX 800 Owatonna, MN 55060		UTILITIES				\$10,959.70
OWATONNA PUBLIC UTILITIES 208 S WALNUT PO BOX 800 Owatonna, MN 55060		UTILITIES				\$9,339.19
SCHUMACHER ELEVATOR COMPANY ONE SCHUMACHER WAY Denver, IA 50622		UNSECURED				\$7,103.20
STEELE COUNTY PROPERTY TAX 630 FLORENCE AVE Owatonna, MN 55060		PROPERTY TAX				\$238,454.00
SVL, INC 2920 CENTRE POINTE DR ROSEVILLE, MN 55113		UNSECURED				\$54,500.00
SYSCO FOOD SERV OF MN INC 2400 CTY RD J Saint Paul, MN 55112		UNSECURED				\$5,252.48

Debtor **OWATONNA HOSPITALITY LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
XCEL ENERGY BANKRUPTCY DEPT PO BOX 9477 Minneapolis, MN 55484		UTILITIES				\$6,208.40
XCEL ENERGY BANKRUPTCY DEPT PO BOX 9477 Minneapolis, MN 55484		UTILITIES				\$4,344.08
XCEL ENERGY BANKRUPTCY DEPT PO BOX 9477 Minneapolis, MN 55484		UTILITIES				\$17,560.16

ALL STREAM
18110 SE 34TH ST
BLDG ONE STE 100
VANCOUVER WA 98683

CISCO - DE LAGE LANDEN FINANCIAL SERVICE
PO BOX 41602
PHILADELPHIA PA 19101

CITY OF OWATONNA
540 WEST HILLS CIRCLE
OWATONNA MN 55060

DAWNEE LEASING
3801 AUTOMATION WAY STE 207
FORT COLLINS CO 80525

ECOLAB
1 ECOLAB PLACE
SAINT PAUL MN 55102

FAST EDDYS SIGNS
359 1ST AVE S
SOUTH SAINT PAUL MN 55075

FOUNDATION GROUP LLC
11501 SUNSET HILLS RD STE 100
RESTON VA 20190

GUEST SUPPLY
PO BOX 6771
SOMERSET NJ 08875

INTERCONTINENTAL HOTEL GROUP
THREE RAVINIA DRIVE STE 100
ATLANTA GA 30346

JOHNSON CONTROL FIRE PROTECTION
2605 FERNBROOK LANE NORTH STE T
MINNEAPOLIS MN 55447

LATHROP GPM
1010 WEST ST GEMAIN ST STE 500
SAINT CLOUD MN 56301

MINNWEST BANK
1420 HIGHWAY 7
MINNETONKA MN 55345

MN DEPT OF REVENUE
600 N ROBERT ST.
SAINT PAUL MN 55101

NUCO2 LLC
PO BOX 417902
BOSTON MA 02241

OWATONNA PUBLIC UTILITIES
208 S WALNUT
PO BOX 800
OWATONNA MN 55060

SCHILLING SUPPLY
1500 OPPORTUNITY RD NW
ROCHESTER MN 55901

SCHUMACHER ELEVATOR COMPANY
ONE SCHUMACHER WAY
DENVER IA 50622

STEELE COUNTY PROPERTY TAX
630 FLORENCE AVE
OWATONNA MN 55060

SVL, INC
2920 CENTRE POINTE DR
ROSEVILLE MN 55113

SYSCO FOOD SERV OF MN INC
2400 CTY RD J
SAINT PAUL MN 55112

XCEL ENERGY
BANKRUPTCY DEPT
PO BOX 9477
MINNEAPOLIS MN 55484

**United States Bankruptcy Court
District of Minnesota**

In re **OWATONNA HOSPITALITY LLC**

Debtor(s)

Case No.
Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **OWATONNA HOSPITALITY LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

July 14, 2020

Date

/s/ JOHN D. LAMEY III

JOHN D. LAMEY III 0312009

Signature of Attorney or Litigant

Counsel for **OWATONNA HOSPITALITY LLC**

LAMEY LAW FIRM, P.A.

980 INWOOD AVE N

OAKDALE, MN 55128-7094

651.209.3550 Fax:651.789.2179

JLAMEY@LAMEYLAW.COM

Form 1008-1 - Proof Of Authority To Sign And File Petition

**United States Bankruptcy Court
District of Minnesota**

In re OWATONNA HOSPITALITY LLC

Debtor(s)

Case No.

Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, MICHAEL BHAKTA, declare under penalty of perjury that I am the VICE PRESIDENT / MANAGER of OWATONNA HOSPITALITY LLC, a Minnesota limited liability company and that on July 14, 2020 the following resolution was duly adopted by the Board of this company:

"Whereas, it is in the best interest of this company to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that MICHAEL BHAKTA, Vice President / Manager of this corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that MICHAEL BHAKTA, Vice President / Manager of this company, is authorized and directed to appear in all bankruptcy proceedings on behalf of the company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the company in connection with such bankruptcy case; and

Be It Further Resolved, that MICHAEL BHAKTA, Vice President / Manager of this company, is authorized and directed to employ JOHN D. LAMEY III 0312009, attorney and the law firm of LAMEY LAW FIRM, P.A. to represent the company in such bankruptcy case."

Date July 14, 2020

Signature

Michael Bhakta, Vice President/Manager
MICHAEL BHAKTA
VICE PRESIDENT / MANAGER

LOCAL RULE REFERENCE: 1008-1